

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMBER MARIE CODY,

Defendant.

CR 23-8-BU-DLC

ORDER

On October 3, 2023, Defendant Amber Marie Cody appeared before the Court for a hearing on a petition to revoke her pretrial release. The petition alleges that a sweat patch removed from Defendant's skin on September 6, 2023, tested positive for the presence of methamphetamine, in violation of the special condition prohibiting Defendant from using or unlawfully possessing a narcotic drug or other controlled substance unless prescribed by a licensed medical practitioner. (Doc. 45-1).

Pursuant to 18 U.S.C. § 3148(b)(1), and based on the evidence and testimony presented at the revocation hearing, the Court finds there is clear and convincing evidence that Defendant violated conditions of her release as alleged. Further, pursuant to § 3148(b)(2), and based on Defendant's conduct while on

pretrial release, the Court finds she is unlikely to abide by any condition or combination of conditions if the Court were to continue her on pretrial release.

Therefore, pursuant to 18 U.S.C. § 3148(b), **IT IS HEREBY ORDERED** that Defendant's pretrial release is **REVOKED**.

IT IS FURTHER ORDERED the Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The Defendant shall be afforded a reasonable opportunity for private consultation with defense counsel.

On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

DATED this 3rd day of October, 2023.



Kathleen L. DeSoto
United States Magistrate Judge